

AMENDED IN SENATE APRIL 23, 2015

**SENATE BILL**

**No. 521**

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**Introduced by Senator Liu**

February 26, 2015

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An act to add Sections 11327.10, ~~18901.11~~, *18901.65*, 18901.12, and 18901.13 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

SB 521, as amended, Liu. CalFresh employment and training program.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, under which nutrition assistance benefits, formerly referred to as food stamps, are allocated to each state by the federal government. That program, as administered in California, is known as CalFresh. Under existing state law, pursuant to CalFresh, California's federal allocation is distributed to eligible individuals by each county. Existing law establishes eligibility and benefit level requirements for receipt of CalFresh benefits.

Existing law authorizes counties to participate in the CalFresh Employment and Training (CalFresh E&T) program, established with the purpose of assisting members of CalFresh households to obtain regular employment, and requires participating counties to screen CalFresh work registrants to determine whether they will participate in, or be exempt from, the CalFresh E&T program.

The bill would require the State Department of Social Services to request a waiver from the federal government to allow county human services agencies to serve CalFresh E&T recipients for up to 5 months, to match the length of services of transitional CalFresh benefits ~~with~~

~~the post-employment services of the CalFresh E&T program, for a period of up to 5 months.~~ By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

This bill would require the department, in order to improve employment opportunities and increase wages of CalFresh recipients by increasing access to adult and ~~post-secondary~~ *postsecondary* education and vocational training programs at California community colleges, annually issue guidance through all county letters for county human services agencies wishing to partner with a community college in the administration of its CalFresh E&T program, as specified.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, when an individual fails or refuses to comply with specified components of the CalWORKs program without good cause, the individual is subject to prescribed financial sanctions.

This bill would provide that when a CalWORKs recipient has been sanctioned due to noncompliance with his or her welfare-to-work plan, the recipient shall not be assigned a CalFresh penalty until the county has determined that the individual does not qualify for an exemption to the CalFresh work requirement and has not registered for work, the county has notified the recipient that the recipient is not eligible for an exemption, and has instructed the recipient about how to comply with the requirements or verify an exemption to the CalFresh work requirements. The bill would also require that if the CalFresh recipient complies with the requirement during the notice of adverse action period and has registered for work with the Employment Development Department, the proposed penalty would be canceled and would not count as an occurrence for the purposes of determining the length of future CalFresh disqualification periods. By imposing additional duties on local agencies, this bill would impose a state-mandated local program.

The bill would require the CalFresh E&T program to be included in the state's Workforce Investment and Opportunity Act state plan in order to improve coordination between established workforce training programs.

~~The bill would state findings and declarations by the Legislature relative to unemployment rates and CalFresh recipients.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. The Legislature finds and declares the following:~~

2     ~~(a) According to the Employment Development Department,~~  
3     ~~Labor Market Information Division, there were over 600,000~~  
4     ~~long-term unemployed in California in February of 2014, well~~  
5     ~~above pre-Great Recession levels.~~

6     ~~(b) Counting people who are out of work and have stopped~~  
7     ~~searching, California had the highest “U6” unemployment rate in~~  
8     ~~the country, 15.8 percent, in late 2014.~~

9     ~~(c) The federal Supplemental Nutrition Assistance Program~~  
10    ~~Employment and Training Program offers a dollar for dollar federal~~  
11    ~~match of allowable expenses to fund employment training and~~  
12    ~~post-employment support for CalFresh recipients for the purposes~~  
13    ~~of increasing future earnings in order to reduce their dependence~~  
14    ~~on CalFresh.~~

15    ~~SEC. 2.~~

16    ~~SECTION 1.~~ Section 11327.10 is added to the Welfare and  
17    Institutions Code, to read:

18    11327.10. (a) When a CalWORKs recipient has been  
19    sanctioned due to noncompliance with his or her welfare-to-work  
20    plan, pursuant to Section 11327.4, the recipient shall not be  
21    assigned a CalFresh penalty until the county has ~~determined~~  
22    ~~completed all of the following:~~

23    (1) *Determined* that the individual does not qualify for an  
24    exemption to the CalFresh work requirement and has not registered  
25    for work, *and* the county has notified the recipient that the recipient  
26    is not eligible for an exemption, ~~and has instructed exemption.~~

1 (2) *Instructed* the recipient about how to comply with the  
2 requirements or verify an exemption to the CalFresh work  
3 requirements. ~~If~~

4 (b) *If* the recipient complies with the requirements during the  
5 notice of adverse action period and has registered for work with  
6 the Employment Development Department, the proposed penalty  
7 shall be canceled and shall not count as an occurrence for the  
8 purposes of determining the length of future CalFresh  
9 disqualification periods. ~~If a county elects to administer a CalFresh~~  
10 ~~E&T program pursuant to Section 18926.5, it shall screen these~~  
11 ~~recipients pursuant to paragraph (b) of Section 18926.5 before~~  
12 ~~placement into the program. Receipt~~

13 (c) *A CalFresh recipient also receiving CalWORKs cash aid or*  
14 *CalWORKs postemployment services is ineligible to participate*  
15 *in the CalFresh E&T program, but the receipt of CalWORKs cash*  
16 *aid by another person in the recipient's household does not impact*  
17 *the eligibility of a CalFresh recipient to participate in a CalFresh*  
18 *E&T program.*

19 ~~SEC. 3.~~

20 *SEC. 2.* Section 18901.65 is added to the Welfare and  
21 Institutions Code, to read:

22 18901.65. The department shall seek a federal waiver to allow  
23 county human services agencies to serve CalFresh E&T program  
24 recipients for up to five months, to match the length of service for  
25 transitional CalFresh benefits, established in Section ~~18901.6, with~~  
26 ~~the post-employment services of the CalFresh E&T program,~~  
27 ~~established in Section 18926.5, for a period of up to five months.~~  
28 *18901.6.*

29 ~~SEC. 4.~~

30 *SEC. 3.* Section 18901.12 is added to the Welfare and  
31 Institutions Code, to read:

32 18901.12. The state shall include the CalFresh E&T program  
33 in the state's Workforce Investment and Opportunity Act state  
34 plan in order to improve coordination between established  
35 workforce training programs.

36 ~~SEC. 5.~~

37 *SEC. 4.* Section 18901.13 is added to the Welfare and  
38 Institutions Code, to read:

39 18901.13. (a) The department shall, in order to improve  
40 employment opportunities and increase wages of CalFresh

recipients by increasing access to adult and ~~post-secondary~~  
~~postsecondary~~ education and vocational training programs at  
 California Community Colleges, annually issue guidance through  
 all-county letters for county human services agencies wishing to  
 partner with a community college in the administration of its  
 CalFresh E&T program, and support any county seeking approval  
 by the United States Department of Agriculture to include a  
 community college component in its approved CalFresh E&T  
 program plan. *program.*

(b) The guidance provided for in this section *may be issued with*  
*other employment and training guidance not specific to community*  
*colleges and shall include:*

(1) ~~A list of approved sources of description of requirements~~  
~~for a state share match for that is specific to community college~~  
 CalFresh E&T programs.

(2) A list of education courses ~~that would be approved known~~  
~~by the department to qualify~~ under Section 4007 of the Agricultural  
 Act of 2014 (7 U.S.C. Sec. 2015(e)(3)(B)), which are either:

(A) Part of a program of career and technical education, as  
 defined in the Carl D. Perkins Career and Technical Education  
 Act of 2006 (20 U.S.C. Sec. 2302) that may be completed within  
 four years at an institution of higher education, as defined in  
 Section 102 of the Higher Education Act of 1965 (20 U.S.C. Sec.  
 1002).

(B) Limited to remedial courses, basic adult education, literacy,  
 or English as a second language.

(3) The additional outcomes that are required to be reported  
 beyond those required by subdivision (c) of Section 18926.5, when  
 a county's CalFresh E&T program includes a community college  
 component.

(4) The process for verifying that a student is eligible to  
 participate in the CalFresh E&T program at a community college.  
 A student is eligible to be assigned to participate in the program  
 by the county human services agency or designee of the agency  
 only as a volunteer, not as a mandatory participant. A CalFresh  
 recipient also receiving CalWORKs cash aid *or CalWORKs*  
*postemployment services* is ineligible to participate in the CalFresh  
 E&T program, but the receipt of CalWORKs cash aid by other  
 people in his or her household shall not impact his or her eligibility  
 for the CalFresh E&T program.

1 (c) Nothing in this section requires a county to offer a particular  
2 component as a part of its CalFresh E&T plan or restricts the use  
3 of federal funds for the financing of CalFresh E&T programs.

4 ~~SEC. 6.~~

5 *SEC. 5.* If the Commission on State Mandates determines that  
6 this act contains costs mandated by the state, reimbursement to  
7 local agencies and school districts for those costs shall be made  
8 pursuant to Part 7 (commencing with Section 17500) of Division  
9 4 of Title 2 of the Government Code.